

Improvement Res. No. 997-1959

For the Condemnation of right of way for utility purposes of a strip of land seven (7) feet in width parallel and adjacent to the north property line of Lots 62, 63 and 64, Riverside Terrace Addition; also a strip of land seven (7) feet in width parallel and adjacent to the west property line of Lot 64, Riverside Terrace Addition.

Resolution Adopted:

April 3, 1959

Confirmed:

ALL ACTION RESCINDED

APR 20 1959

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

For the Vacatin - Opening - Condemnation of right of way for utility purposes of a strip of land seven (7) feet in width parallel and adjacent to the north property line of lots 62, 63, and 64, Riverside Terrace Addition. Also a strip of land seven (7) feet in width parallel and adjacent to the west property line of lot 64, Riverside Terrace Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a strip of land seven (7) feet in width parallel and adjacent to the north property line of lots 62, 63 and 64 Riverside Terrace Addition; Also a strip of land seven (7) feet in width parallel and adjacent to the west property line of lot 64 Riverside Terrace Addition.

All as shown by a plan of such proposed Vacatin - Opening - Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacatin - Opening - Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacatin - Opening - Condemnation of right of way for utility purposes is described as follows: Lots 62, 63, and 64 Riverside Terrace Addition.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacatin of the above described shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described condemnation are situated in the northwest $\frac{1}{4}$, township 30 north, Range 12 east, and lie wholly within the corporate limits of the city of Fort Wayne, Indiana.

ADOPTED THIS 3 rd.

DAY OF

April 19 59.

Attest:

Secretary Board of Public Works.

G. L. Gummeyer
Clara M. Darling
Board of Public Works.

B. O. 28-159

DECLARATORY RESOLUTION NO. 997-1959

For the Condemnation of right of way for utility purposes of a strip of land seven (7) feet in width parallel and adjacent to the north property line of Lots 62, 63 and 64, Riverside Terrace Addition; also a strip of land seven (7) feet in width parallel and adjacent to the west property line of Lot 64, Riverside Terrace Addition.

PLANS ORDERED: March 25, 1959

ADOPTED: April 3, 1959

ADVERTISE NOTICE TO PROPERTY OWNERS: April 8 & 15, 1959

HEARING ON CONFIRMATION: Mon., April 20, 1959, 6:30 p.m.

CONFIRMED:

ASSESSMENT ROLL ORDERED:

ASSESSMENT ROLL APPROVED:

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL:

NOTICES SERVED:

ASSESSMENT ROLL CONFIRMED:

40-132-16

B.O. 28 ('59)

April 20, 1959

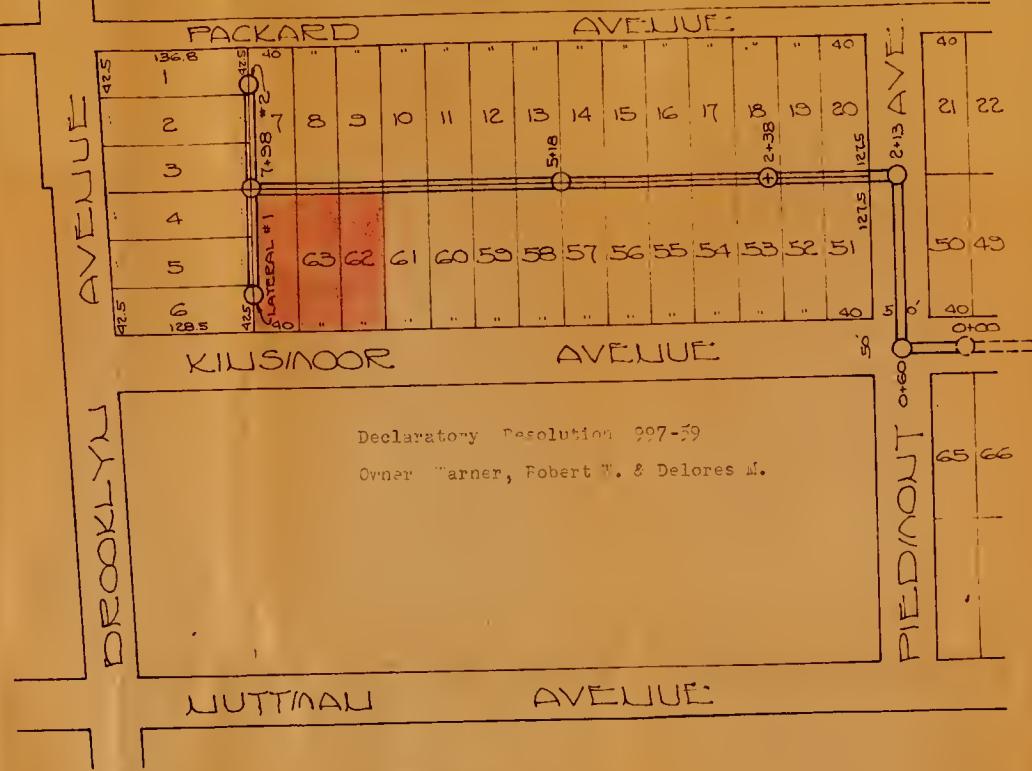
Mr. Edward Green, City Engineer

CONDEMNATION - RIVERSIDE TERRACE ADDITION - RES. 997-1959

ALL ACTION RESCINDED in order to redesign the sewer route.

E. J. Gallmeyer
John Cooper
Orin M. Darling
BOARD OF PUBLIC WORKS

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| CITY UTILITIES SEWER ENGINEERING DEPARTMENT 425 S CAHOUN STREET FORT WAYNE, INDIANA | |
| RIVERSIDE TERRACE ADDITION TO SERVE THE LOTS BETWEEN KIUS/NOOR & PACKARD: BETWEEN PIEDMONT & BROOKLYN AVE'S LOCAL SANITARY SEWER RESOLUTION #662 | |
| DESIGNED BY Philip S. Huff DRAWN BY INSPECTED BY APPROVED BY FINAL APPROVED BY | SCALE 1" = 25'-0" H.O. 5' V.E.R. DATE FEB 25 1959 W.O. # 80760 SHEET 1 OF 2 DRAWING NO. SY-10573 |

GRANT OF EASEMENT FOR UTILITIES PURPOSES

THIS INDENTURE WITNESSETH, that Warner, Robert W. & Delores M., husband and wife, of Allen County, in the State of Indiana, in consideration of One (\$1.00) Dollar, and other good and valuable consideration, the receipt whereof Grantors hereby acknowledge, hereby give, grant and convey, but without warranty, to the City of Fort Wayne, Allen County, in the State of Indiana, an Indiana municipal corporation, its successors and assigns, a perpetual right-of-way and easement to construct, maintain and operate public utility facilities, with all necessary appurtenances over, under, in and along the following described real estate, in Allen County, State of Indiana, to wit:

A strip of land seven (7') feet in width parallel and adjacent to the north property line of Lots #62, 63, and 64, Riverside Terrace Addition; also a strip of land seven feet in width parallel and adjacent to the west property line of Lot #64, Riverside Terrace Addition.

Grantee may at anytime enter upon said premises for the purpose of repairing, maintaining and re-laying of said utility facilities, subject to the following:

1. That the Grantee will replace and/or repair any damages suffered by the Grantors as a result of maintenance of said utility facilities.

IN WITNESS WHEREOF, the said Warner, Robert W. & Delores M.,
husband and wife, have hereunto set their hand and seals, this _____
day of _____, 19 ____.

Robert W. Warner

Delores M. Warner

ACKNOWLEDGEMENT

STATE OF INDIANA :
 : SS
COUNTY OF ALLEN :
 :

Before me, the undersigned, a Notary Public, in and for said County and State, this _____ day of _____, 19____, personally appeared the within named Warner, Robert W. & Delores M., husband and wife, Grantors in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto set my name and affixed my official seal.

(SIGNED) _____
Notary Public

(PRINTED) _____

My Commission Expires:



NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, **April 9, 1959**

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To. Robert W. & Delores M. Warner
1936 Kinsmoor Avenue
Fort Wayne, Indiana.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
Declaratory 997-1959
pass Improvement Resolution No.
providing for the condemnation of right of way for utility purposes of a strip of land
seven (7) feet in width parallel and adjacent to the north property line of Lots 62,
63 and 64, Riverside Terrace Addition. Also a strip of land seven (7) feet in width
parallel and adjacent to the west property line of Lot 64, Riverside Terrace Addition.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed..... **Monday, April 20, 1959 - 6:30 pm IST.**

a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

Lots 62, 63 and 64

Riverside Terrace Addition.

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

J. L. HALLETT, Secretary

KENNETH McGRAW
Clerk

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